

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814



December 19, 1980

ALL-COUNTY INFORMATION NOTICE I- 135-80

TO: ALL COUNTY WELFARE DIRECTORS

SUBJECT: FAIR HEARINGS AFFECTING QUALITY CONTROL REVIEWS

REFERENCE:

This serves to clarify State Quality Control (QC) procedures in the following two situations: 1) Reviewing a case containing a fair hearing decision when QC review findings conflict with the fair hearing decision; and 2) Subsequent to QC findings of ineligibility or overpayment, the client appeals a proposed termination or reduction based on the QC identified error and the appeal is decided in favor of the client.


In situation one (1) above, it is State QC procedure not to cite errors in conflict with a fair hearing decision when such a decision is contained in a case. These fair hearing decisions must be photocopied and attached to the QC review documents to substantiate the review findings.

In situation two (2) above, State QC procedure will allow review findings to be amended when fair hearings are a result of QC error citations, and the fair hearing is decided in favor of the client. These error citation changes to individual cases will be allowed at any time before the final documents are computer processed at the end of the review period. For example, this means that for a change in a case during the October 80 - March 81 review period, that change could be made up to approximately the end of May 1981.

Changes will be made only in instances where the Quality Control Bureau is notified by the county of the fair hearing decision and appropriate documentation is provided (identification of the quality control case, a copy of the fair hearing decision, etc.). The Chief Referee has requested counties contact his office by phone or letter when clients, as a result of QC review findings, have filed an appeal. Counties should request the scheduling of these cases to be expedited and a decision obtained as quickly as possible.

If you have any questions on these procedures, please contact the Regional or District Quality Control office responsible for your county.

Sincerely,


PHILIP J. MANRIQUEZ
Deputy Director
Planning and Review Division

cc: CWDA